IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2851 OF 2006

Shri Deepak Dattaram Sagvekar & ors Applicants.
Vs
State of Maharashtra, .. Respondent.
Mr M.B.Shirsat, for the applicants.
Mr P.A.Pol, APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 1st August, 2006

P.C.:

1. Heard the learned counsel for the parties.

2. In this petition, the applicants have challenged the show cause notice issued under section 111 of the Code of Criminal Procedure, calling upon them to show cause as to why the action under section 107 of the Code be not taken against them. I am informed that the concerned authority has also passed an order under section 116(3) calling upon the petitioners to execute the interim bond during pendency of the proceedings under section 107 of the Code. Mr Pol, learned APP on instructions, states that the petitioners have already filed the reply and if he co-operates the said proceedings will be concluded within four weeks from today. Keeping that in view, I am satisfied that the following order shall meet the ends of justice.

(a) The petitioners are at liberty to contest the show

cause notice. The concerned authority shall pass appropriate orders in the proceedings after giving an opportunity of being heard to the petitioners and after considering their reply to the said notice, as expeditiously as possible and preferably within a period of four weeks from today. The concerned authority shall not insist for interim bond for a period of four weeks from today. However, if the petitioners do not cooperate for disposal of the proceedings as aforestated it is open for the concerned authority to insist for execution of the interim bond. The petitioners are directed to cooperate with the hearing of the proceedings to enable the concerned authority to dispose of the same within the time stipulated by this order.

3. With these directions, the criminal application is disposed of.

(D.B.BHOSALE,J.)